



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 3, 2019

MEMORANDUM

TO: The Commission

FROM: Lisa Stevenson
Acting General Counsel

Charles Kitcher
Acting Associate General Counsel

BY: Mark Shonkwiler *MS*
Assistant General Counsel

Wanda D. Brown *wdb*
Attorney

SUBJECT: MUR 7292 (Clifford "Cliff" Stearns, *et al.*)

RE: Pre-Probable Cause Conciliation Agreement

On March 19, 2019, the Commission found reason to believe that Clifford "Cliff" Stearns and Friends of Cliff Stearns and Joan Stearns in her official capacity as treasurer (the "Committee") (collectively "Respondents") violated 52 U.S.C. § 30114(b) by expending campaign funds for Stearns's personal use. Pursuant to the Commission's instruction, the Office of General Counsel is circulating a Conciliation Agreement that conforms to the Commission's approved edits to the Factual and Legal Analysis in this matter.

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5 **RECOMMENDATIONS**

- 6 1. Approve the attached conciliation agreement; and
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8 2. Approve the appropriate letter.
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² The Commission has previously approved provisions that require the candidate and the committee to share the civil penalty. See MUR 7068 (Mowrer for Iowa) (Commission approved a conciliation agreement that required the candidate and the committee to pay equal shares of the civil penalty); *see also* MUR 6128 (Craig for U.S. Senate) (Commission approved out the door agreement that required candidate and committee each to pay half of civil penalty; MUR 5787 (Kalyn Free for Congress) (Commission approved a conciliation agreement that took into consideration mitigating factors and ordered the candidate to pay \$3,500 and the Committee to pay \$6,500).